

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
CASE NO. 1:19-cr-00696-PAE-1

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ARI TEMAN,	:
	:
Petitioner,	:
	:
v.	:
	:
UNITED STATES OF AMERICA,	:
	:
Respondent.	:
_____	X

**DEFENDANT ARI TEMAN’S MOTION FOR LEAVE TO RELY ON
APPENDIX FILED IN HIS DIRECT APPEAL**

Defendant Ari Teman (or “Teman”), through undersigned counsel, hereby moves this Court to Rely on Appendix Filed in His Direct Appeal, and states:

1. On July 29, 2021, the district court entered a judgment against Teman based on bank fraud under 18 U.S.C. 1344 and wire fraud under § 18 U.S.C. 1343.

2. On May 11, 2023, Teman’s direct appeal was heard by the Second Circuit in USA v. Teman, Case No. 21-1920-cr. On June 8, 2023, the Second Court affirmed the judgment of the district court in Appeal Case No. 21-1920-cr. On August 18, 2023, the Second Circuit issued a mandate affirming the judgment of the district court in Appeal Case No. 21-1920-cr .

3. This matter now concerns Teman's motion to set aside and to vacate his judgment and sentence under 18 U.S.C. § 2255.

4. Teman is asking to rely on the Appendix that was filed in Appeal Case No. 21-1920-cr because this matter is directly related to Appeal Case No. 21-1920-cr and because the Appendix, which contains eleven (11) volumes can be utilized in this matter.

5. Undersigned counsel conferred with Counsel for the United States of America whether it objects to this motion and undersigned counsel has not yet heard back from Counsel.

6. The granting of this motion will save costs and resources in preparing a completely new Appendix in this appeal. Attached hereto are eleven (11) Volumes of the Appendix. Teman's memorandum of law in support of motion to vacate cites to the Appendix.

Respectfully Submitted,

/s/ Thomas Butler

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing document was electronically filed and served this 30th day of October, 2024, to the following counsel of record:

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